



**Ninety-Seventh Legislature - First Session - 2001**  
**Committee Statement**  
**LB 222**

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**Hearing Date:** 1/16/2001  
**Committee On:** Urban Affairs

**Introducers:** (Tyson)

**Title:** Change provisions relating to municipal water and sanitary sewer service extension district limits

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**Roll Call Vote – Final Committee Action:**

- X   Advanced to General File
  - Advanced to General File with Amendments
  - Indefinitely Postponed
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**Vote Results:**

7	Yes	Senators Hartnett, Connealy, Erdman, Janssen, Preister, Quandahl, and Redfield
	No	
	Present, not voting	
	Absent	

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**Proponents:**

Senator Tyson  
Michael Nolan  
John Bass  
Tom Miller  
Lynn Rex

**Representing:**

Introducer  
City of Norfolk  
Division Comptroller, NUCOR Steel  
Environmental manager, NUCOR Steel  
League of NE Municipalities

**Opponents:**

none

**Representing:**

**Neutral:**

**Representing:**

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**Summary of purpose and/or changes:**

This legislation deals with the authority of first and second class cities and villages to finance water and sanitary sewer extension districts, proposing to extend the area within which such municipalities may establish such districts to encompass the range of their extraterritorial zoning jurisdiction

Current Section 19-2402 (the principal section being amended by this bill) provides the authorization for first and second class cities and villages to create special districts for the

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purpose of financing and providing municipal water or sanitary sewer service to areas within one mile of their corporate boundaries.

This bill would extend the authority for providing such services to all areas within their designated extraterritorial zoning jurisdiction. As a practical matter this means that the legislation only impacts first class cities (which have a two mile extraterritorial jurisdictional limit): the limit for exercising the authority granted by this section remains one mile for second class cities and villages.

It should be noted that no first or second class city or village is granted *automatic* authority over the full territory within the area defined by statute: the cities or villages themselves must define by ordinance the area over which they exercise extraterritorial zoning jurisdiction subject to the limit of one mile from their boundaries for second class cities and villages (section 17-1002) and two miles from their boundaries for first class cities (section 16-902).

The bill takes this factor into account.

First, it amends section 19-2402 to specifically provide that first and second class cities and villages may extend water or sanitary sewer improvement districts to serve areas within the extraterritorial zoning jurisdiction they have defined pursuant to section 16-902 (for first class cities) and section 17-1002 (for second class cities and villages).

Second, it amends the cited statutes (sections 16-902 and section 17-1002) to include references to the amended section 19-2402.

Legislation similar to this bill was introduced in the 2000 Legislative Session by Sen. Tyson as LB 1131. After hearing this legislation, the Urban Affairs Committee advanced the bill to General File with a Committee Amendment. The bill died at the end of the session without receiving consideration by the full Legislature.

The text of this bill is identical to the language of the filed Committee Amendment to LB 1131.

**Explanation of amendments, if any:**

None

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**Senator D. Paul Hartnett, Chairperson**